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RECEIVED

August 14, 2002

AUG 14 2002

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

VIA COURIER

Marlene H. Dortch, Secretary  
Federal Communications Commission  
The Portals  
445 12th Street, S.W.  
12th Street Lobby, TW-A325  
Washington, DC 20554

91-171

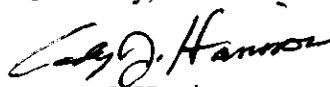
**Re: In the Matter of Petition for Declaratory Relief and Waiver of the  
Commission's Emergency Alert Equipment Requirements for Cable  
Televisions Systems**

Dear Ms. Dortch:

Enclosed please find one original and four copies of the above-referenced Petition for  
Declaratory Relief and/or Waiver submitted on behalf of Charter Communications.

Thank you for your attention to this matter. If you have any questions, please feel free to  
give me a call.

Sincerely,

  
Cody J. Harrison

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ABCDE

**COPY**

Before the  
**FEDERAL COMMUNICATIONS COMMISSION**  
Washington, D.C. 20554

**RECEIVED**

AUG 14 2002

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

In the Matter of	)	
	)	FO Docket No. 91-301
Petition for Declaratory Relief and	)	FO Docket No. 91-171
Waiver of the Commission's	)	
Emergency Alert Equipment	)	
Requirements for	)	
Cable Television Systems	)	

To: Chief, Technical & Public Safety Division  
Enforcement Bureau

**PETITION FOR DECLARATORY RELIEF AND/OR WAIVER**

Charter Communications, Inc. ("Charter"), by its attorneys, hereby seeks Commission approval of an alternative means for certain smaller cable systems to comply with the Commission's Emergency Alert System ("EAS") rules. In particular, Charter requests that the Commission declare that Charter can satisfy the EAS rules by utilizing a satellite communications system to deliver EAS messages to approximately 146 cable systems ("Participating Systems") and need not install a full set of EAS equipment at each of the Participating Systems.

**I. Introduction**

For each of the 146 Participating Systems set forth in Attachment 1, Charter seeks permission to deviate from the customary system-specific EAS approach. Charter instead proposes the use of satellite technology to simultaneously deliver national EAS messages without having to rely on redundant EAS encoder/decoder units at each system to accept and deliver the national EAS message. This satellite technology would permit Charter to make all proper EAS insertions, while avoiding the costs and other operational expenses associated with

installing a full set of EAS equipment at each of the Participating Systems. The “decoding” that would normally occur at each headend could be accomplished at these particular systems through Motorola satellite receive equipment already in place to deliver digital programming services to system subscribers.

## **II. Summary of The Commission’s EAS Equipment Requirements**

Section 11.11(a) of the Commission’s rules require cable operators to install an FCC-certified encoder/decoder unit on all cable systems serving fewer than 5,000 subscribers by October 1, 2002.<sup>1</sup> The encoder/decoder unit originates the alert by creating EAS code transmissions, and then translates each code into an audio or video message.<sup>2</sup> Once the EAS message is translated, the message must be inserted on all programmed channels, or there must be a video interrupt and audio alert on all programmed channels with an EAS audio and visual messages on at least one programmed channel.<sup>3</sup>

## **III. Technical Description of Charter’s EAS Proposal**

### **A. The Uplink Site**

As illustrated in Attachment 2, Charter would install an AM/FM antenna at the PanAm satellite site in New York (the “uplink site”). From this location, Charter would monitor national EAS tests and alerts that originate from the national EAS center. Charter would install a Sage

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<sup>1</sup> 47 C.F.R. §11.1(a). In its recent Report and Order, the Commission amended the EAS rules to permit cable systems serving fewer than 5,000 subscribers to install FCC-certified decoder-only units, rather than both, if such a device is available by the October 1, 2002 compliance deadline. *In the Matter of Amendment of Part 11 of the Commission’s Rules Regarding the Emergency Alert System*, Report and Order, EB Docket No. 0166, RM-9156, RM-9215; ¶ 71 (Rel. Feb. 26, 2002). The Commission clarified that if FCC-certified decoder-only units are not available by October 1, 2002, cable systems serving less than 5,000 subscribers are required to comply with the EAS rules by installing the encoder/decoder unit at each headend. In addition, the Commission clarified that it would grant waivers of the EAS equipment rules to cable systems serving fewer than 5,000 subscribers on a case-by-case basis upon a showing of a financial hardship. *Id.* at ¶ 73 (clarifying *Amendment of Part 73, Subpart G, of the Commission’s Rules Regarding Emergency Broadcast System, Second Report and Order*, FO Docket Nos. 91-171/91-301, 12 FCC Rcd. 15503, 15513 (1997)).

<sup>2</sup> 47 C.F.R. §11.32 - .33

<sup>3</sup> *Id.*

Endec EAS encoder/decoder unit at the uplink site, and once an EAS test or alert is received and processed, it would be unlinked to the Galaxy-9 satellite.

The Sage encoder/decoder unit would utilize a Motorola DigiCipher II Encoding System to process and deliver EAS controlling information to the Participating Systems. When a national EAS test or alert is activated, the Sage encoder/decoder unit would provide a contact closure to Motorola's Event Trigger System ("ETS") for the DigiCipher II encoding system. This would then generate an encoded hardware-controlled message ("HCM").

#### **B. The Downlink Site**

Charter has installed a Motorola DSR 4500X satellite receiver ("4500X") at each of the Participating Systems to accept digital programming from the Galaxy-9 satellite. This same equipment is fully capable of receiving EAS messages. As illustrated in Attachment 3, Charter would utilize the 4500X to receive and distribute the EAS test or alert that is generated at the uplink site. When the 4500X receives the EAS message, an HCM would cause an external contact closure at the rear panel of the 4500X. The contact closure forces a trunk switch to tune from normal analog programming to the received EAS content. Video and audio content from the 4500X unit would then inform subscribers served by the individual Participating Systems of the national EAS alert. A second contact closure would provide signaling to a Motorola OM 1000, Out of Band Data Modulator ("OM 1000"). The OM 1000 would force tune all digital terminals to the one analog channel actually carrying the national EAS content. Accordingly, all viewers would effectively see the EAS message on whatever channel they are viewing.

#### **IV. Charter's Method Of Delivering EAS Messages From the Galaxy 9 Satellite Is Consistent With The Intent and Purposes of the Commission's EAS Rules**

Consistent with the Section 11.11(a), once an EAS message is received at the downlink site, each of the Participating Systems would have the capability of disseminating the message

across all programmed channels. In addition, the equipment utilized by Charter is FCC certified and is capable of encoding and decoding the EAS protocol and providing EAS code transmission requirements and EAS monitoring functions consistent with the Commission's rules.<sup>4</sup> In short, Charter's proposal would enable those smaller systems, that are already equipped with digital transmission capability, the ability to take advantage of that capability, and the aggregation efficiencies presented by satellite technology, to fulfill EAS responsibilities in an efficient and effective manner.

It would, in fact, be much more efficient and economically feasible for Charter to utilize this technology to meet its EAS obligations at each of the Participating Systems. The Commission has estimated EAS equipment costs at \$6,000 to \$10,000 per system.<sup>5</sup> With 146 Participating Systems, the total EAS cost for this group of systems would be between \$876,000 and \$1,460,000 on EAS equipment.<sup>6</sup> By using satellite technology and the capabilities of existing headend equipment, Charter would be able to greatly reduce this cost.

Finally, although this method is focused on national EAS messages (which is the full extent of Charter's obligation under existing FCC regulations), its implementation certainly does not preclude Charter from making local insertions where deemed appropriate. Charter will continue to meet all existing local EAS franchise requirements and will remain sensitive to local EAS participation during franchise renewal negotiations.

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<sup>4</sup> 47 C.F.R. §§ 11.51-52.

<sup>5</sup> See *Amendment of Part 73, Subpart G, of the Commission's Rules Regarding the Emergency Broadcast System*, Second Report and Order, 12 FCC Rcd. 15503, ¶ 23 (1997).

<sup>6</sup> This cost would be beyond the cost already incurred for the substantial number of larger Charter systems that are already fully equipped with EAS equipment and for the substantial number of smaller Charter systems that lack the digital headend equipment necessary to utilize this approach.

**V. Conclusion**

For the reasons explained above, Charter respectfully requests that that the Commission declare that Charter's proposal is an acceptable means for satisfying EAS obligations at the Participating Systems.

Respectfully submitted,

**Charter Communications, Inc.**

By:



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Steven J. Horvitz  
Cody J. Harrison

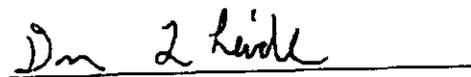
**COLE, RAYWID & BRAVERMAN, L.L.P.**  
1919 Pennsylvania Ave., N.W, Suite 200  
Washington, D.C. 20006  
(202) 659-9750

Its Attorneys

Date: August 14, 2002

CERTIFICATION

I, Don Loheide, Vice President of Engineering, hereby certify that statements made in the foregoing Petition for Waiver are made in good faith and are true and correct to the best of my knowledge, information and belief.



Don Loheide  
Vice President of Engineering

August 13, 2002

# **EXHIBIT 1**

PSID	System Name	State	CUID	Community
000001	Columbia	KY	KY0119	COLUMBIA
000001	Columbia	KY	KY0945	SUMMERSVILLE
000001	Columbia	KY	KY1050	GREEN
000001	Columbia	KY	KY1051	BLACK GNAT
000001	Columbia	KY	KY1131	ADAIR
000033	Columbia	KY	MS0018	COLUMBIA
000033	Columbia	KY	MS0348	MARION
000102	Haleyville	AL	AL0027	Haleyville
000102	Haleyville	AL	AL0460	Bear Creek
000102	Haleyville	AL	AL0461	Marion County
000102	Haleyville	AL	AL0462	Winston County
000141	Jenkins	WV	KY0051	JENKINS
000141	Jenkins	WV	KY0068	FLEMING-NEON
000141	Jenkins	WV	KY0176	MCROBERTS
000141	Jenkins	WV	KY0177	JACKHORN
000141	Jenkins	WV	KY0481	DEANE
000141	Jenkins	WV	KY1220	JENKINS
000141	Jenkins	WV	KY1221	FLEMING-NEON
000141	Jenkins	WV	VA0004	POUND
000141	Jenkins	WV	VA0583	WISE
000142	Fairfield	IN	IL0024	FAIRFIELD
000142	Fairfield	IN	IL1199	WAYNE
000142	Fairfield	IN	IL1521	GEFF
000290	Cherokee	AL	AL0021	CHEROKEE
000290	Cherokee	AL	AL0391	BARTON
000292	Columbia	KY	TN0016	COLUMBIA
000292	Columbia	KY	TN0208	SPRINGHILL
000292	Columbia	KY	TN0209	MAURY COUNTY
000292	Columbia	KY	TN0218	MT PLEASANT
000292	Columbia	KY	TN0397	WILLIAMSON COUNTY
000292	Columbia	KY	TN0492	MT. PLEASANT
000292	Columbia	KY	TN0493	MAURY COUNTY 35
000292	Columbia	KY	TN0494	LAWRENCE
000387	Sneedville	TN	TN0043	Sneedville
000387	Sneedville	TN	TN0583	Sneedville
000389	Richwood	WV	WV0172	RICHWOOD
000389	Richwood	WV	WV0770	FENWICK
000389	Richwood	WV	WV0771	HOLCOMB
000389	Richwood	WV	WV1242	RICHWOOD
000427	Haileyville	OK	OK0015	HARTSHORNE
000427	Haileyville	OK	OK0030	HAILEYVILLE
000505	Myrtle Creek	OR	OR0163	MYRTLE CREEK
000505	Myrtle Creek	OR	OR0177	TRI CITY
000505	Myrtle Creek	OR	OR0178	WINSTON
000505	Myrtle Creek	OR	OR0179	GREEN DISTRICT
000505	Myrtle Creek	OR	OR0212	RIDDLE
000505	Myrtle Creek	OR	OR0249	DILLARD
000505	Myrtle Creek	OR	OR0250	DOUGLAS
000505	Myrtle Creek	OR	OR0254	CANYONVILLE
000532	Farmville	VA	VA0201	FARMVILLE
000532	Farmville	VA	VA0451	CUMBERLAND

000532	Farmville	VA	VA0452	PRINCE EDWARD
000568	Harrisville	WV	WV0501	ELLENBORO
000568	Harrisville	WV	WV0502	HARRISVILLE
000568	Harrisville	WV	WV0971	RITCHIE
000569	Grantsville	WV	WV0503	GRANTSVILLE
000569	Grantsville	WV	WV0959	CALHOUN
000610	Lawrenceville	VA	IL0087	BRIDGEPORT
000610	Lawrenceville	VA	IL0088	LAWRENCEVILLE
000610	Lawrenceville	VA	IL1149	LAWRENCE COUNTY
000622	Lancaster	WI	WI0046	CASSVILLE
000622	Lancaster	WI	WI0047	LANCASTER
000622	Lancaster	WI	WI0393	DICKEYVILLE
000622	Lancaster	WI	WI0642	BLOOMINGTON
000622	Lancaster	WI	WI0860	PATCH GROVE
000622	Lancaster	WI	WI0908	JAMESTOWN
000740	Coleman	TX	WI0409	Coleman
000740	Coleman	TX	WI0410	Pound
000881	Ferriday	LA	LA0091	FERRIDAY
000881	Ferriday	LA	LA0177	RIDGECREST
000881	Ferriday	LA	LA0178	CONCORDIA
000886	Jonesville	LA	LA0132	JONESVILLE
000886	Jonesville	LA	LA0390	CATAHOULA
000926	Babbitt	MN	MN0014	BABBITT
001131	Heflin	AL	AL0183	Heflin
001131	Heflin	AL	AL0638	Edwardsville
001131	Heflin	AL	AL0639	Cleburne Co.
001131	Heflin	AL	AL0640	Fruithurst
001135	Lawrenceville	VA	VA0257	LAWRENCEVILLE
001135	Lawrenceville	VA	VA0258	LAWRENCEVILLE
001135	Lawrenceville	VA	VA0615	ALBERTA
001136	Colonial Beach	VA	VA0256	COLONIAL BEACH
001136	Colonial Beach	VA	VA0454	WESTMORELAND
001139	Troy	NC	KS0200	DONIPHAN COUNTY
001525	St. Ignace	MI	MI0166	ST IGNACE
001525	St. Ignace	MI	MI0255	ST IGNACE
001525	St. Ignace	MI	MI1487	MORAN
001527	Newberry	MI	MI0127	NEWBERRY
001527	Newberry	MI	MI0164	PENTLAND
001527	Newberry	MI	MI0297	MCMILLAN
001801	Vandalia	MO	IL0085	VANDALIA
001801	Vandalia	MO	IL0668	BROWNSTOWN
001801	Vandalia	MO	IL1511	BLUFF CITY
001801	Vandalia	MO	IL1512	VERA
001804	Accomack	VA	VA0009	ACCOMACK
001804	Accomack	VA	VA0010	ACCOMACK
001804	Accomack	VA	VA0011	ONANCOCK
001804	Accomack	VA	VA0012	ONLEY
001804	Accomack	VA	VA0013	PARKSLEY
001804	Accomack	VA	VA0102	MELFA
001804	Accomack	VA	VA0131	BLOXOM
001804	Accomack	VA	VA0132	KELLER
001804	Accomack	VA	VA0187	WACHAPREAGUE

001804	Accomack	VA	VA0410	SAXIS
001804	Accomack	VA	VA0411	HALLWOOD
001804	Accomack	VA	VA0461	ATLANTIC
001804	Accomack	VA	VA0462	HORNTOWN
001804	Accomack	VA	VA0463	WATTSVILLE
001804	Accomack	VA	VA0464	TEMPERANCEVILLE
001804	Accomack	VA	VA0465	EASTPOINT
001804	Accomack	VA	VA0466	SANFORD
001804	Accomack	VA	VA0467	NEW CHURCH
001804	Accomack	VA	VA0468	MAPPSVILLE
001804	Accomack	VA	VA0469	OAK HALL
001876	Nevada	MO	MO0042	NEVADA
001876	Nevada	MO	MO0536	NEVADA (Vernon County)
002017	Webster Springs	WV	WV0190	COWEN
002017	Webster Springs	WV	WV0191	WEBSTER SPRINGS(ADD
002017	Webster Springs	WV	WV0997	COWEN
002017	Webster Springs	WV	WV1001	CURTIN
002017	Webster Springs	WV	WV1002	BERGOO
002017	Webster Springs	WV	WV1189	WEBSTER (SW)
002017	Webster Springs	WV	WV1190	CAMDEN ON GAULEY
002017	Webster Springs	WV	WV1200	WEBSTER SPRINGS(ADD
002280	Centerville	AL	AL0226	Brent
002280	Centerville	AL	AL0227	Centerville
002280	Centerville	AL	AL0429	Bibb County
002280	Centerville	TN	AL0226	Brent
002280	Centerville	TN	AL0227	Centerville
002280	Centerville	TN	AL0429	Bibb County
002282	Columbiana	AL	AL0232	Columbiana
002282	Columbiana	AL	AL0233	Wilsonville
002282	Columbiana	AL	AL0745	Shelby County (Columbiana)
002375	Fairfield	IN	AL0001	FAIRFIELD
002375	Fairfield	IN	AL0006	HUEYTOWN
002375	Fairfield	IN	AL0009	MIDFIELD
002375	Fairfield	IN	AL0010	PLEASANT GROVE
002471	McKinney	KY	KY0873	MCKINNEY
002610	Belington	WV	WV0074	BELINGTON
002610	Belington	WV	WV0240	JUNIOR
002610	Belington	WV	WV1212	BARBOUR (S)
002679	Bowling Green	MO	VA0105	BOWLING GREEN
002679	Bowling Green	MO	VA0248	CAROLINE
002679	Bowling Green	VA	VA0105	BOWLING GREEN
002679	Bowling Green	VA	VA0248	CAROLINE
002680	Tappahannock	VA	VA0112	TAPPAHANNOCK
002680	Tappahannock	VA	VA0250	ESSEX
002744	Mc Cook	NE	NE0015	MCCOOK
002744	Mc Cook	NE	NE0317	RED WILLOW
002764	Broken Bow	NE	NE0009	BROKEN BOW
002764	Broken Bow	NE	NE0437	BROKEN BOW
002818	Mitchell	IN	IN0033	MITCHELL
002818	Mitchell	IN	IN0116	ORLEANS
002818	Mitchell	IN	IN0117	PAOLI
002818	Mitchell	IN	IN1047	LAWRENCE (S)

002818	Mitchell	IN	IN1048	ORANGE (S)
003105	Montevideo	MN	MN0004	MONTEVIDEO
003172	King City	CA	CA0230	KING CITY
003194	Gassaway	WV	WV0089	GASSAWAY
003194	Gassaway	WV	WV0090	SUTTON
003194	Gassaway	WV	WV0930	GASSAWAY
003194	Gassaway	WV	WV0931	BRAXTON
003194	Gassaway	WV	WV1035	FLATWOODS
003194	Gassaway	WV	WV1139	BRAXTON
003279	Henegar	AL	AL0438	Henegar
003279	Henegar	AL	AL0441	Ider
003279	Henegar	AL	AL0442	Sylvania
003279	Henegar	AL	AL0443	Dekalb
003279	Henegar	AL	AL0445	Jackson
003279	Henegar	AL	AL0716	DeKalb Co.
003298	Maumelle	AR	AR0316	OAK GROVE TOWN
003298	Maumelle	AR	AR0320	CRYSTAL HILL
003298	Maumelle	AR	AR0327	OLD MAUMELLE
003298	Maumelle	AR	AR0328	BLUE HILL
003298	Maumelle	AR	AR0329	MORGAN
003298	Maumelle	AR	AR0376	MAUMELLE
003442	Coleman	TX	TX0042	COLEMAN
003442	Coleman	TX	TX1641	COLEMAN
003575	Warsaw	VA	MO0025	WARSAW
003575	Warsaw	VA	MO0652	BENTON COUNTY
003583	Warsaw	VA	IN0015	Kosciusko
003583	Warsaw	VA	IN0016	Warsaw
003583	Warsaw	VA	IN0017	Winona Lake
003583	Warsaw	VA	IN0609	Akron
003583	Warsaw	VA	IN0778	Atwood
003583	Warsaw	VA	IN0779	Etna Green
003583	Warsaw	VA	IN0905	Silver Lake
003583	Warsaw	VA	IN0932	Burket
003583	Warsaw	VA	IN1043	Silver Lake
003966	Hillsboro	IN	IL0169	HILLSBORO
003966	Hillsboro	IN	IL0478	SCHRAM CITY
003966	Hillsboro	IN	IL0479	TAYLOR SPRING
003966	Hillsboro	WV	IL0169	HILLSBORO
003966	Hillsboro	WV	IL0478	SCHRAM CITY
003966	Hillsboro	WV	IL0479	TAYLOR SPRING
004066	Canby	MN	MN0075	CANBY
004080	Waynesboro	TN	TN0019	WAYNESBORO
004080	Waynesboro	TN	TN0109	COLLINWOOD
004080	Waynesboro	TN	TN0686	WAYNE
004085	El Dorado Springs	MO	MO0020	EL DORADO SPRINGS
004094	Ely	MN	MN0015	ELY
004094	Ely	MN	MN0185	WINTON
004094	Ely	MN	MN0186	WINTON
004381	Bracketville	TX	TX0013	BRACKETTVILLE
004475	Bowling Green	MO	MO0383	Bowling Green
004475	Bowling Green	MO	MO1018	Pike (NE) Co.
004475	Bowling Green	VA	MO0383	Bowling Green

004475	Bowling Green	VA	MO1018	Pike (NE) Co.
004609	Troy	NC	AL0127	TROY
004609	Troy	NC	AL0159	BRUNDIDGE
004609	Troy	NC	AL0505	PIKE
005160	Mount Carmel	IL	IL0211	MOUNT CARMEL
005244	Shiner	TX	TX0349	SHINER
005387	Hardy	AR	AR0048	CHEROKEE VILLAGE
005387	Hardy	AR	AR0049	HARDY
005418	Haskell	TX	TX0035	HASKELL
005418	Haskell	TX	TX0685	HASKELL
005549	Vandalia	MO	MO0497	VANDALIA
005593	Potosi	MO	MO0267	POTOSI
005593	Potosi	MO	MO0669	WASHINGTON COUNTY
005659	Belle Haven	VA	VA0275	BELLE HAVEN
005659	Belle Haven	VA	VA0276	NASSAWADOX
005659	Belle Haven	VA	VA0277	PAINTER
005659	Belle Haven	VA	VA0278	NORTHAMPTON
005659	Belle Haven	VA	VA0279	EXMORE
005659	Belle Haven	VA	VA0457	PUNGOTEAGUE
005659	Belle Haven	VA	VA0458	CRADDOCKVILLE
005659	Belle Haven	VA	VA0459	HARBORTON
005659	Belle Haven	VA	VA0460	SHADYSIDE
005732	Scarbro	WV	WV0675	SCARBRO (MOSSEY)
005803	Balaton	MN	MN0176	BALATON
005964	Troy	NC	NC0344	Troy
006013	Wautoma	WI	WI0242	Dakota
006013	Wautoma	WI	WI0243	Marion
006013	Wautoma	WI	WI0245	Wautoma
006013	Wautoma	WI	WI0246	Wautoma
006013	Wautoma	WI	WI0269	Coloma
006013	Wautoma	WI	WI0273	Lohrville
006013	Wautoma	WI	WI0275	Neshkoro
006013	Wautoma	WI	WI0277	Plainfield
006013	Wautoma	WI	WI0278	RedGranite
006013	Wautoma	WI	WI0282	Westfield
006013	Wautoma	WI	WI0283	Wild Rose
006013	Wautoma	WI	WI0880	Hancock
006028	Elgin	AL	AL0213	ROGERSVILLE
006028	Elgin	AL	AL0217	KILLEN
006028	Elgin	AL	AL0251	LEXINGTON
006028	Elgin	AL	AL0384	ANDERSON
006028	Elgin	AL	AL0389	ELGIN
006028	Elgin	AL	AL0390	CENTRE STAR
006028	Elgin	AL	AL0797	LAUDERDALE COUNTY
006046	California	MO	MO0158	CALIFORNIA
006046	California	MO	MO0655	MONITEAU (CALIF)
006418	Comanche	TX	TX0156	COMANCHE
006734	Julesburg	CO	CO0104	JULESBURG
006734	Julesburg	CO	CO0115	OVID
006734	Julesburg	CO	CO0453	SEDGWICK
006734	Julesburg	CO	NE0055	CHAPPELL
006881	Anna	IL	IL0205	ANNA

006881	Anna	IL	IL0212	JONESBORO
006988	Warsaw	VA	VA0368	WARSAW
007030	Wallins Creek	KY	KY0085	WALLINS CREEK
007030	Wallins Creek	KY	KY0179	KEITH
007030	Wallins Creek	KY	KY0180	COLDIRON
007030	Wallins Creek	KY	KY0181	TREMONT
007030	Wallins Creek	KY	KY0182	WILHOIT
007046	Olla	LA	LA0073	OLLA
007046	Olla	LA	LA0074	URANIA
007046	Olla	LA	LA0075	TULLOS
007046	Olla	LA	LA0153	LASALLE
007197	Versailles	MO	MO0125	VERSAILES
007200	Burnsville	MS	MS0103	BURNSVILLE
007200	Burnsville	WV	MS0103	BURNSVILLE
007212	Belmont	MS	MS0071	BELMONT
007212	Belmont	MS	MS0084	GOLDEN
007212	Belmont	MS	MS0095	TISHOMINGO
007212	Belmont	MS	MS0272	TISHOMINGO
007212	Belmont	MS	MS0290	DENNIS
007644	Burnsville	MS	WV0152	BURNSVILLE
007644	Burnsville	MS	WV0658	BURNSVILLE
007644	Burnsville	WV	WV0152	BURNSVILLE
007644	Burnsville	WV	WV0658	BURNSVILLE
007708	Mountain City	TN	TN0038	MOUNTAIN CITY
007708	Mountain City	TN	TN0158	JOHNSON COUNTY
007708	Mountain City	TN	TN0537	LAUREL BLOOMERY
007709	Clarksville	VA	KY0087	Hopkinsville
007709	Clarksville	VA	KY0195	Christian Co.
007709	Clarksville	VA	TN0112	Clarksville
007709	Clarksville	VA	TN0367	Ashland City
007709	Clarksville	VA	TN0368	Pleasant View
007709	Clarksville	VA	TN0496	Montgomery Co. West
007709	Clarksville	VA	TN0501	Montgomery East
007709	Clarksville	VA	TN0570	Cheatham Co. (N)
007709	Clarksville	VA	TN0672	Montgomery
007709	Clarksville	VA	TN0673	Cheatham Co. NE
007709	Clarksville	VA	TN0688	Greenbriar
007709	Clarksville	VA	TN0694	Coopertown, Town of
007713	Loretto	TN	AL0417	LAUDERDALE
007713	Loretto	TN	TN0110	IRON CITY
007713	Loretto	TN	TN0398	ST. JOSEPH
007713	Loretto	TN	TN0400	LORETTO
007713	Loretto	TN	TN0423	LORETTO
007713	Loretto	TN	TN0443	LAWRENCE COUNTY
007759	Colorado City	TX	TX0066	COLORADO CITY
007759	Colorado City	TX	TX0433	COLORADO CITY
007941	Hillsboro	IN	WV0293	HILLSBORO
007941	Hillsboro	IN	WV0990	POCAHONTAS
007941	Hillsboro	WV	WV0293	HILLSBORO
007941	Hillsboro	WV	WV0990	POCAHONTAS
007945	Glenville	WV	WV0135	GLENVILLE
007945	Glenville	WV	WV0659	GLENVILLE

007945	Glenville	WV	WV1036	SAND FORK
007945	Glenville	WV	WV1138	GILMER
007967	Ansted	WV	WV0141	ANSTED
007967	Ansted	WV	WV0967	LANSING
008044	Eolia	KY	KY0213	PARTRIDGE
008044	Eolia	KY	KY0795	EOLIA
008121	Rainsville	AL	AL0210	RAINSVILLE
008121	Rainsville	AL	AL0211	SECTION
008121	Rainsville	AL	AL0212	FYFFE
008121	Rainsville	AL	AL0393	DEKALB
008121	Rainsville	AL	AL0395	DUTTON
008121	Rainsville	AL	AL0396	SHILOH
008121	Rainsville	AL	AL0397	POWELL
008138	Crisfield	MD	MD0004	CRISFIELD
008186	Columbia	KY	MO0290	COLUMBIA
008186	Columbia	KY	MO0567	ASHLAND
008186	Columbia	KY	MO0808	COLUMBIA
008186	Columbia	KY	MO0922	ROCHEPORT
008497	Clarksville	VA	VA0293	CLARKSVILLE
008497	Clarksville	VA	VA0455	MECKLENBURG
008541	Soledad	CA	CA0581	GONZALES/CHULAR
008541	Soledad	CA	CA0582	SOLEDAD
008688	Basile	LA	LA0255	BASILE
008691	Iowa	LA	LA0225	IOWA
008691	Iowa	LA	LA0252	CALCASIEU
008691	Iowa	LA	LA0253	JEFFERSON DAVIS
008707	Cedar Bluff	AL	AL0282	CEDAR BLUFF
008707	Cedar Bluff	AL	AL0392	CHEROKEE COUNTY
008877	Centerville	AL	TX0948	CENTERVILLE
008877	Centerville	TN	TX0948	CENTERVILLE
008949	Iva	SC	SC0258	Iva
008949	Iva	SC	SC0333	Anderson Co. (W)
008949	Iva	SC	SC0379	Chambert Forest
008949	Iva	SC	SC0433	Starr
009208	Greenville	GA	MI0287	GREENVILLE
009208	Greenville	GA	MI0300	EUREKA
009208	Greenville	GA	MI0381	IONIA
009208	Greenville	GA	MI0382	IONIA
009208	Greenville	GA	MI0383	EASTON
009208	Greenville	GA	MI0455	BELDING
009208	Greenville	GA	MI0673	ROCKFORD
009208	Greenville	GA	MI0674	COURTLAND
009208	Greenville	GA	MI0675	ALGOMA
009208	Greenville	GA	MI0676	CANNON
009208	Greenville	GA	MI0677	PLAINFIELD
009208	Greenville	GA	MI0678	ALPINE
009208	Greenville	GA	MI0679	SPARTA
009208	Greenville	GA	MI0680	SPARTA
009208	Greenville	GA	MI0730	OAKFIELD
009208	Greenville	GA	MI0731	OTISCO
009208	Greenville	GA	MI0839	BERLIN
009208	Greenville	GA	MI0840	MUIR

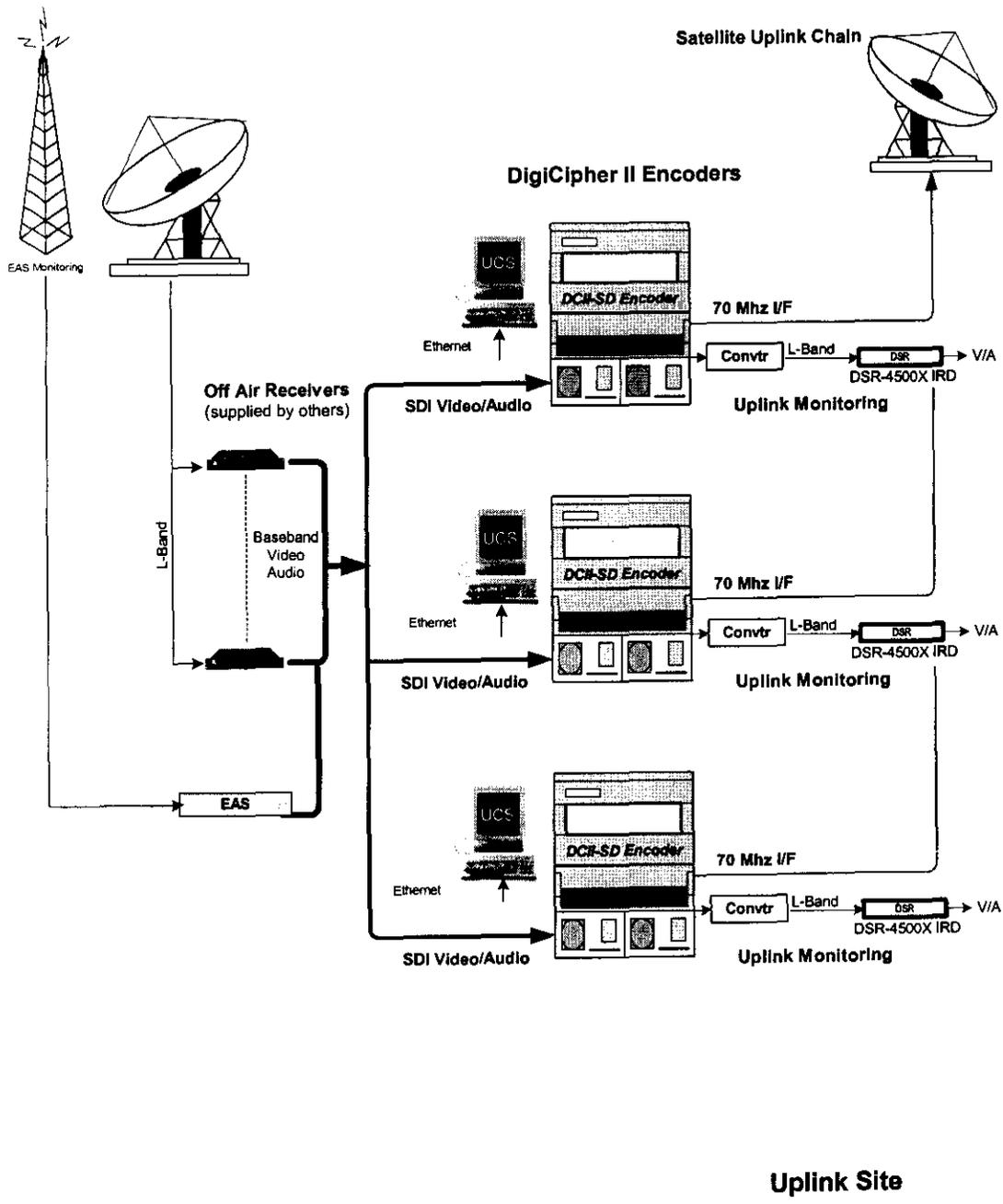
009208	Greenville	GA	MI0841	LYONS
009208	Greenville	GA	MI0842	LYONS
009208	Greenville	GA	MI0940	KENT CITY
009208	Greenville	GA	MI0943	NELSON
009208	Greenville	GA	MI0944	OLON
009208	Greenville	GA	MI0945	CEDAR SPRINGS
009208	Greenville	GA	MI0983	TYRONE
009208	Greenville	GA	MI1018	HOWARD CITY
009208	Greenville	GA	MI1331	SPENCER
009208	Greenville	GA	MI1541	RONALD
009208	Greenville	GA	MI1542	ORLEANS
009208	Greenville	GA	MI1544	MONTCALM (S)
009208	Greenville	GA	MI1618	AUSTIN
009208	Greenville	GA	MI1619	AETNA
009208	Greenville	GA	MI1621	NELSON
009208	Greenville	GA	MI1623	STANWOOD
009208	Greenville	GA	MI1624	PIERSON
009208	Greenville	GA	MI1625	PIERSON
009208	Greenville	GA	MI1626	SAND LAKE
009208	Greenville	GA	MI1627	REYNOLDS
009208	Greenville	GA	MI1628	WINFIELD
009208	Greenville	GA	MI1630	DEERFIELD
009208	Greenville	GA	MI1631	ENSLEY
009208	Greenville	GA	MI1632	MAPLE VALLEY
009237	Zebulon	GA	GA0698	Zebulon
009237	Zebulon	GA	GA0702	Williamston
009237	Zebulon	GA	GA0711	Pike Co.
009237	Zebulon	GA	GA0966	Concord
009237	Zebulon	GA	GA0967	Meansville
009238	Greenville	GA	GA0699	Greenville
009238	Greenville	GA	GA0817	Meriwether Co.
009239	Woodbury	GA	GA0700	Woodbury
009239	Woodbury	GA	GA0701	Meriwether Co.
009286	Burnsville	MS	NC0164	Micaville
009286	Burnsville	MS	NC0165	Burnsville
009286	Burnsville	MS	NC0166	Yancey Co.
009286	Burnsville	MS	NC0189	Spruce Pine
009286	Burnsville	MS	NC0190	Mitchell Co.
009286	Burnsville	MS	NC0528	Bakersville
009286	Burnsville	MS	NC1021	Mitchell
009286	Burnsville	WV	NC0164	Micaville
009286	Burnsville	WV	NC0165	Burnsville
009286	Burnsville	WV	NC0166	Yancey Co.
009286	Burnsville	WV	NC0189	Spruce Pine
009286	Burnsville	WV	NC0190	Mitchell Co.
009286	Burnsville	WV	NC0528	Bakersville
009286	Burnsville	WV	NC1021	Mitchell
009491	Damascus	VA	VA0197	DAMASCUS
009491	Damascus	VA	VA0234	WASHINGTON COUNTY
009595	Gilbert	WV	WV0525	GILBERT
009595	Gilbert	WV	WV0526	MINGO
009683	Thorsby	AL	AL0305	Thorsby

009683	Thorsby	AL	AL0317	Jemison
009683	Thorsby	AL	AL0470	Chilton County Commission
009746	Leighton	AL	AL0357	LEIGHTON
009746	Leighton	AL	AL0358	COLBERT
009746	Leighton	AL	AL0382	TOWN CREEK
009746	Leighton	AL	AL0383	COURTLAND
009746	Leighton	AL	AL0385	NORTH COURTLAND
009746	Leighton	AL	AL0422	SPRING CREEK
009746	Leighton	AL	AL0423	LAWRENCE
009809	Hackberry	AL	LA0239	HACKBERRY
009809	Hackberry	AL	LA0348	CAMERON (EAST)
009810	Cameron	LA	LA0237	CAMERON
009810	Cameron	LA	LA0360	CAMERON (WEST)
009817	Glencoe	MN	MN0276	GLENCOE
009817	Glencoe	MN	MN1002	GLENCOE
009890	Harts	WV	WV0847	HARTS CREEK
009890	Harts	WV	WV0848	RANGER
009890	Harts	WV	WV0914	COVE GAP
009890	Harts	WV	WV0918	BRANCHLAND
009890	Harts	WV	WV0944	BIG CREEK
009890	Harts	WV	WV0945	FERRELLSBURG
009890	Harts	WV	WV1052	CHAPMANVILLE
009998	Alvarado	TX	TX1075	Keene
009998	Alvarado	TX	TX1076	Alvarado
009998	Alvarado	TX	TX1100	Itasca
009998	Alvarado	TX	TX1101	Grandview
009998	Alvarado	TX	TX1194	Maypearl
009998	Alvarado	TX	TX1243	Venus
010268	Troy	NC	IN0588	TROY
010512	McEwen	TN	TN0332	MCEWEN
010559	Devine	TX	TX1309	DEVINE
010559	Devine	TX	TX1310	LYTLE
010559	Devine	TX	TX1311	NATALIA
010579	Cape Charles	VA	VA0359	CAPE CHARLES
010579	Cape Charles	VA	VA0360	CHERITON
010579	Cape Charles	VA	VA0361	NORTHAMPTON (S)
010579	Cape Charles	VA	VA0501	EASTVILLE
010596	Dingess	WV	WV0860	BREEDEN
010596	Dingess	WV	WV0861	DINGESS
010596	Dingess	WV	WV0862	MUDFORD
010710	Hokes Bluff	AL	AL0255	Hokes Bluff
010710	Hokes Bluff	AL	AL0717	Etowah (E) Co.
010711	Southside	AL	AL0256	Southside
010711	Southside	AL	AL0718	Etowah (S) Co.
010835	Longtown	OK	OK0300	LONGTOWN
010835	Longtown	OK	OK0492	BROOKEN
010835	Longtown	OK	OK0493	ENTERPRISE
010955	Kenly	NC	NC0330	Kenly
010955	Kenly	NC	NC0629	Micro
010955	Kenly	NC	NC0630	Lucama
010956	Princeton	NC	NC0332	Princeton
010960	Matewan	WV	WV0563	RAWL

010960	Matewan	WV	WV0564	LICK CREEK
010960	Matewan	WV	WV0566	SPRIGG
010960	Matewan	WV	WV0567	LOBATA
010960	Matewan	WV	WV0924	MATEWAN
010960	Matewan	WV	WV0925	MINGO
010963	Fayette	MS	MS0264	FAYETTE
011236	Gurley	AL	AL0386	JACKSON (W)
011236	Gurley	AL	AL0387	GURLEY
011236	Gurley	AL	AL0388	PAINT ROCK
011361	Berry	AL	AL0400	Berry
011361	Berry	AL	AL0471	Fayette County Unincorp.
011361	Berry	AL	AL0751	Walker County
011410	Merryville	LA	LA0427	MERRYVILLE
011453	Black Mountain	KY	KY0084	BAXTER
011453	Black Mountain	KY	KY0088	EVARTS
011453	Black Mountain	KY	KY0145	TOTZ
011453	Black Mountain	KY	KY0230	DIZNEY
011453	Black Mountain	KY	KY0232	HOLMES MILL
011453	Black Mountain	KY	KY0233	PUTNEY
011453	Black Mountain	KY	KY0234	BROOKSIDE
011453	Black Mountain	KY	KY0242	ROSS POINT
011453	Black Mountain	KY	KY0699	LOUELLEN
011453	Black Mountain	KY	KY0821	CAWOOD
011453	Black Mountain	KY	KY0822	COALGOOD
011453	Black Mountain	KY	KY0823	CHEVROLET
011453	Black Mountain	KY	KY0824	CRUMMIES
011453	Black Mountain	KY	KY0964	LEJUNIOR
011453	Black Mountain	KY	KY1216	CRANKS
011453	Black Mountain	KY	KY1217	BLACK MOUNTAIN
011635	West Plains	MO	MO0019	WEST PLAINS
011635	West Plains	MO	MO0680	WEST PLAINS (this is HE)
011665	Coleman	TX	MI1025	COLEMAN
011665	Coleman	TX	MI1026	WARREN
011965	Trafford	AL	AL0528	Trafford
011965	Trafford	AL	AL0529	County Line
011965	Trafford	AL	AL0742	Blount County (Bradford)
011965	Trafford	AL	AL0744	Jefferson County (Bradford)
012036	Westover	AL	AL0415	Westover
012036	Westover	AL	AL0418	Harpersville
012036	Westover	AL	AL0419	Vincent
012036	Westover	AL	AL0781	Chelsea
012036	Westover	AL	AL0784	Westover (Shelby County)
012037	Locust Fork	AL	AL0540	Cleveland
012037	Locust Fork	AL	AL0541	Locust Fork
012037	Locust Fork	AL	AL0599	Blount County
012093	Tower	MN	MN0708	BREITING
012093	Tower	MN	MN0709	TOWER
012458	Esterwood	LA	LA0453	MORSE
012458	Esterwood	LA	LA0454	ESTHERWOOD
012458	Esterwood	LA	LA0456	MERMENTAU
012458	Esterwood	LA	LA0580	MIDLAND
012523	Wills Point	TX	TX1612	EDGEWOOD

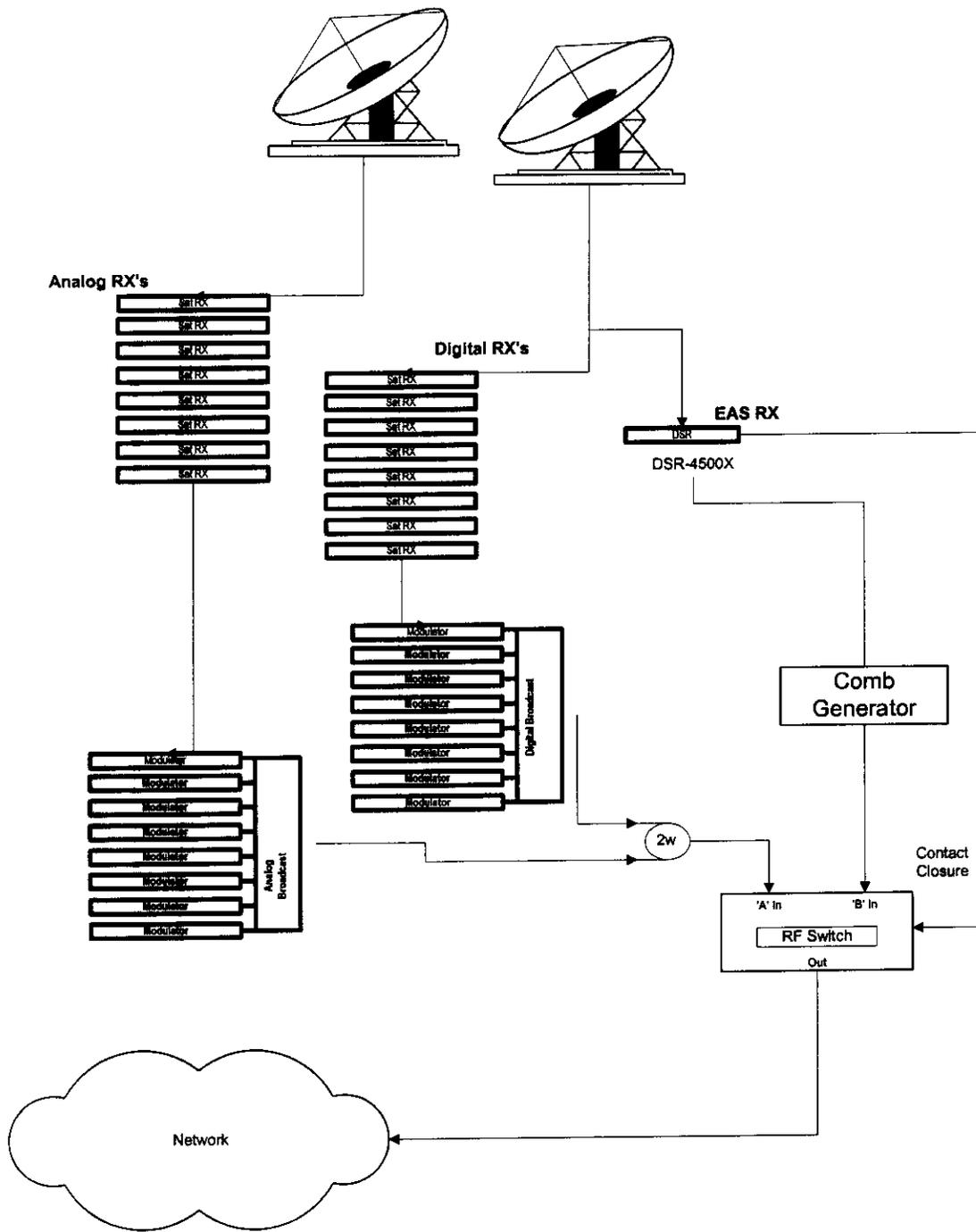
012523	Wills Point	TX	TX1613	WILLS POINT
013366	Cusseta	GA	GA0592	Cusseta
013366	Cusseta	GA	GA0927	Chattahoochee Co.
013378	Ten Mile	TN	TN0511	ROANE (TEN MILE)
013378	Ten Mile	TN	TN0512	MEIGS
013473	Boyle	KY	KY0940	BOYLE
013473	Boyle	KY	KY1061	WHITE OAK
013473	Boyle	KY	KY1062	MITCHELLBURG
013473	Boyle	KY	KY1063	PARKSVILLE
013473	Boyle	KY	KY1064	ALUM SPRINGS
013666	Glencoe	MN	OK0430	GLENCOE
013995	West Blockton	AL	AL0201	Jefferson County (West Blocton)
013995	West Blockton	AL	AL0318	West Blocton
013995	West Blockton	AL	AL0319	Bibb County (Woodstock)
013995	West Blockton	AL	AL0662	Tuscaloosa County (SE)
014077	Gates	NC	NC0939	GATESVILLE
014077	Gates	NC	NC0940	GATES
014458	Clifton	TN	TN0431	CLIFTON CITY
014525	Mitchell	IN	NE0020	MITCHELL
015471	Curry	AL	AL0402	Curry
015472	Double Springs	AL	AL0404	Double Springs
015472	Double Springs	AL	AL0472	Winston County
015473	Oakman	AL	AL0401	Oakman
015473	Oakman	AL	AL0749	Walker County (Oakman)
016358	Flintville	TN	TN0658	FLINTVILLE(LINCOLD CNTY)
016682	Lay Lake	AL	AL0416	SHELBY LAKE
016682	Lay Lake	AL	AL0758	LAY LAKE
020285	Page	WV	WV1055	FAYETTE
020285	Page	WV	WV1060	NORTH PAGE
020285	Page	WV	WV1061	WRISTON
020285	Page	WV	WV1280	PAGE
020300	Cameron	LA	OK0517	CAMERON
020304	Verdigris	OK	OK0302	VERDIGRIS
020324	Wilburton	OK	OK0021	WILBURTON
020324	Wilburton	OK	OK0466	RED OAK
028197	Chadron	NE	NE0024	CHADRON
028297	Gordon	NE	NE0025	GORDON

# **EXHIBIT 2**



**Charter SSD**

# **EXHIBIT 3**



**Downlink Site**